# IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 208 OF 2007

MR. ARSENIO D'SILVA AND 2 ORS., ... Petitioners
Versus
STATE OF GOA THROUGH CHIEF SECRETARY AND 3 ORS., ... Respondents

Mrs. A.Agni, for the Petitioners.

Mr. S.R. Rivonkar, Ga For R. 1, 2 And 3

Coram:- S.A.BOBDE &
N. A. BRITTO, JJ.

Date:- 24th April, 2007

P.C.:

Heard learned Counsel on behalf of both the parties.

2. The dispute raised by the petitioners is regarding the construction of a road in Survey No. 80/0. As per the respondents, they are constructing the said road on a bund, having obtained No-Objection certificate from the Tenants Association to whom the said bund belongs. The petitioners contend that the said bund has been surveyed as part of Survey No.80/0 of which the petitioners are co-owners.

3. We find that the petition involves disputed questions of fact and therefore we are not inclined to entertain the same in extraordinary jurisdiction.

4. The learned Government Advocate Shri Rivonkar on behalf of the respondents states that no work of construction of the road will be carried out by the respondents for a period of three weeks in order to enable the petitioners to approach the Civil Court and obtain appropriate reliefs.

With the above observations, the petition stands disposed of.

S.A.BOBDE, J.

N. A. BRITTO, J.

sl.